



**COUNTY OF PLACER  
FISH & GAME COMMISSION**

Ed King  
Deputy Agricultural Commissioner  
County Contact

**FISH & GAME COMMISSION MEMBERS**

<b>DISTRICT 1</b> Don Gould	<b>DISTRICT 2</b> Mark Fowler
<b>DISTRICT 3</b> Gregg McKenzie	<b>DISTRICT 4</b> Gary Flanagan
<b>DISTRICT 5</b> Kari Freidig	<b>DISTRICT 5</b> Marc Wyatt
<b>DISTRICT 5</b> Mickey Daniels	

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**PLACER COUNTY  
FISH & GAME COMMISSION  
MINUTES**

**TIME/DATE:** 7:00 P.M. WEDNESDAY, June 25, 2014

**LOCATION:** PLACER COUNTY PLANNING COMMISSION HEARING ROOM  
Community Development Resource Agency, DeWitt Center, Auburn  
3091 County Center Drive (corner of Bell Road and Richardson Drive)

The Placer County Fish & Game Commission is committed to ensuring that persons with disabilities are provided the resources to participate fully in its public meetings. If you are hearing impaired, we have listening devices available. If you require additional disability-related modifications or accommodations, including auxiliary aids or services, please contact the Recording Secretary at (530) 889-7372. If requested, the agenda shall be provided in appropriate alternative formats to persons with disabilities. All requests must be received at least 72 hours prior to the scheduled meeting for which you are requesting accommodation. Requests received after such time will be accommodated only if time permits.

**I. CALL TO ORDER – Don Gould, Chairman**

**II. ROLL CALL**

**Members Present:** Don Gould, Gary Flanagan, Mickey Daniels, Kari Freidig and Marc Wyatt.

**Absent:** Gregg McKenzie and Mark Fowler

**III. APPROVAL OF AGENDA FOR June 25, 2014 AND APPROVAL OF MINUTES OF May 28, 2014**

*Flanagan/Daniels/MPUV*

**IV. PUBLIC COMMENT**

Individuals may address the Commission on items under the jurisdiction of the Fish and Game Commission not included on this agenda for no longer than five (5) minutes. ***No action can be taken on items addressed under Public Comment***

None.

## **V. FINANCIAL REPORT**

### **Budget Update – Ed King**

Expenditures for FY 13/14, through May 31, 2014, total \$8833.00 including \$1200.00 in commissioner's fees, \$500.00 in secretary fees, \$1264.00 in mileage reimbursement, \$4995.80 in grant awards and \$867.00 in A-87 costs.

Revenues through May 31, total \$702.20 including \$495.70 in fine and penalty monies and \$206.50 in interest.

## **VI. AGENCY REPORTS**

### **A. Commission Updates**

Don Gould reports on the Placer County Agriculture Tour – subject was water management – enjoyed it, recommends it to others and he commends the organizers for always putting on a good tour.

Gary Flanagan states he will be attending the Big Game Advisory Committee meeting on July 1, 2014, at Fish and Wildlife in downtown Sacramento.

Legislature formed this committee because there was a history of earmarked money coming into the budget with no accountability on where that money is spent. Committee works to assure money coming into budget is spent on the programs it is intended to fund, including Wildlife Enforcement.

This year funding has been about eight million dollars and Wildlife Enforcement took 1.6 million off the top with no accountability. Historically, Wildlife Enforcement then asks for more funds and there is no transparency, no accounting of where the funds are spent. Flanagan states there is a real transparency problem and the same thing is happening with the Upland Game Bird Committee.

Flanagan and Freidig discuss Upland Game Bird Committee meetings and whether or not Gregg McKenzie will be attending those meetings – Freidig has been forwarding emails from committee to McKenzie and believes he will attend the meeting.

Flanagan clarifies that he is not disputing that Wildlife Enforcement is entitled to those funds, his concern is that the Big Game Advisory Committee is supposed to be made aware of how the funds are spent and that is not happening. Many of the biologists that receive funding are diligent about reporting the use of funds and following suggestions from the committee to improve programs, this is not the case with Wildlife Enforcement – meaning this part of the program isn't working properly. His suggestion to legislature will be to withhold funds to Wildlife Enforcement until they comply with full accounting of how funds are spent.

Freidig asks if the committee agreed with 1.6 million disbursement. Flanagan responds that this disbursement occurs at the director's level prior to the committee meeting. Freidig doesn't think this looks good.

Flanagan segues into discussion of meeting with Katina Bird from Placer County Counsel last week at county courthouse. Ed King previously forwarded to the commission the citation information obtained via the public record act. They went through a block of entries on the list they obtained and were able to find case numbers. The courts are finding out what the base fines are and what the pleading was for each case. Gary said he spoke with Jane Crue and it was her opinion that the citation sheet represents all enforcement actions. Jane is going to check into this to confirm. The assumption has been that the list contained only citations and not crimes resulting in arrests. Jane told Gary in her two years at the District Attorney's office handling all those cases, there haven't been any arrests and that it is normal for State Fish and Wildlife to only issue citations. Jane's opinion is that this list is the sum total of all actions taken in 2013 by State Fish and Wildlife in Placer County.

Wyatt asks for clarification of list, there may be two that were vehicle related violations. Flanagan confirms.

Flanagan continues by discussing statistics based on spreadsheet he prepared as he drilled down into the information provided. In 2013, there were 61 citations issued for the entire year in Placer County. There were 6 wardens assigned to Placer County in 2013. Breakdown shows:

Monthly citations issued:

Warden 1 – .33	Warden 4 – .255
Warden 2 – 2.9	Warden 5 – .5
Warden 3 – .96	Warden 6 – .16

Conversely, Placer County wardens wrote 31 citations in Mendocino County for abalone and clam violations in two days.

Flanagan also learned that these extra support out-of-county trips are supposed to be allocated to an overtime slot and the wardens are still responsible for covering their assigned areas at 40 hours per week. He finds it questionable that there are only 59 citations issued in Placer County for all of 2013 when compared to the two days they spent assisting in Mendocino County.

Wyatt mentions he's noticed during deer season, there are Mendocino County wardens all over Placer County in support. Flanagan drills further down into the data compiled noting the types of violations.

Flanagan continues, even if these 59 citations received a base fine of \$25.00, the commission should have received \$1475.00 and at end of fiscal year – which is not completely aligned with 2013 – there has only been \$495.00 in receipts. He feels it important for commission to clear this up and then move on. He asks for

support for transparency of this issue from the rest of the commission. Ed King sent out a request to the commission to submit questions regarding Lt. Lawson's weekly reports. He would forward them to Lt. Lawson for his response. Lt. Lawson said he'd answer the questions the next time he was in attendance at a Fish and Game Commission meeting. Flanagan encourages commissioners to look over the weekly reports and send any questions they have about them directly to Ed King.

Wyatt addresses the Mendocino County issue stating wardens go where there is a need for support. He explains that low tide would be an easy high-level citation situation. Flanagan agrees and restates the time/overtime issue and that Placer County is entitled to 40 hours per week per warden. Statistics seem off. Wyatt states there was probably not that much going on in the 2013 period. Flanagan asserts, being the avid outdoorsmen he and Wyatt are, they can both agree that there are certain times of the year in certain areas where the opportunities for issuance of citations is very high. Wyatt agrees. Freidig voices her appreciation for the work Flanagan and King have done on this issue. Flanagan states that he has no vendetta or agenda against any organization or department, he simply wants to get the facts. He states the reasons for all of this research and conversation is due to the reduction in funding from the Board of Supervisors to the Commission to the point of not allowing for any grant monies to fund important education and habitat protection and restoration programs.

Gould asks if the courts could have and use the bail schedule.  
Daniels says every case is different.

Ed King goes over steps to proceed at Flanagan's request:

1. Obtain information on court cases and fines from list provide by Fish & Wildlife.
  - a. If the base fines are being reduced then maybe set up a meeting with the judges to discuss the commission's role in the community and those monies are dispersed in support of various non-profit programs.

Freidig interjects that it's not just the commission being shorted, it's also the taxpayers. Ed explains a bit about how the Fish and Game Code works in funding the commission. The percentage of funds that can be used for administrative purposes is very small.

2. Submitted request to the court for all citations issued in the first half of current fiscal year – there were 20+. Should give an initial picture to work from and commission will be able to see what the base fines were and how that money was disbursed.

Freidig states more appreciation for the work done. Adds that this is a chronic problem historically and this is the first time she's seen someone actually research and try to figure out what the issues are.

Flanagan restates the commission isn't trying to be accusatory, they just want the facts and transparency.

Don Gould also states his appreciation.

Flanagan asks if someone can go to the Upland Game Bird meeting if Gregg McKenzie cannot go. Don Gould says he will if needed.

**B. State Wildlife Conservation Board Subcommittee – Gregg McKenzie**  
None

**C. State Fish & Game Commission Subcommittee – Mark Fowler**  
None

**D. California Department of Fish & Wildlife – Lt. John Lawson**  
None

**E. Nevada Irrigation District - Sue Sindt**  
Water storage typically peaks near the end of June, but with the drought, storage peaked in May – drawing from storage now. June's demand trending a little less than last year, people are conserving, and NID is trying to be efficient with the water. Just now entering peak draw time, (July – August) – hoping to sustain and remain close to the normal rate of withdrawal. If so, then carryover storage will be below average, but still okay considering the conditions (drought).

FERC relicensing still in process.

Flow between Rollins Lake and Combie is 135 CFS, which is very typical for this time of year because most of it is meeting agricultural needs. Rollins usually reaches spill levels in November or December, but Rollins never spilled this year.

### **NON-ACTION ITEMS**

**VII. Placer Nevada South Sutter North Sacramento Subwatershed Group, Fish and Game Commission grant program report – Linda Watanabe, Secretary & Ed Sills, President**

Organized in 2004, to assist in monitoring water quality to comply with the Water Quality Control Board's Irrigated Lands Regulatory Program. Membership in sub-watersheds aids landowners by handling all the state regulatory issues and

paperwork. The least expensive way to do that is to join a coalition. Sacramento Valley Water Quality Coalition is the umbrella over PNSSNS and 12 other sub-watersheds. Those who should join sub-watershed groups include those that:

- conduct an agricultural related business on your property
- sell a crop or product to a 3<sup>rd</sup> party
- hold a permit for pesticide use
- file the 1040F form (claiming ranch or farm deductions) on a federal tax return
- lease irrigated pasture for horses, or board horses that eat/utilize the irrigated pasture

The sub-watershed group tests flowing water quality for pesticides, dissolved oxygen, nutrients, bacteria and other contaminants; they observe and work to correct erosion issues and any other items regulated by the state. Members include large and small farmers, organic and conventional farmers, livestock (pasture), orchards – fruit, nuts, row crops, grains and animal rescue.

Anyone who irrigates for the above listed purposes must register with the sub-watershed group. State has granted an amnesty period for non-members, which ends October 2, 2014, and will be sending out notices on July 15, 2014, regarding this issue.

Membership campaign for 2012-13 garnered 498 members, 28,206 acres. Fees collected were \$90,969, 79% of which funded water testing alone. The balance spent on operational expenses.

Rice growers are not included in the sub-watershed groups as they are a state issue due to the nature of pesticides they use.

The Water Board is working on updates to testing guidelines.

Coon Creek is the main testing site due to the water flow from farming land irrigation into this creek. Grant monies went to printing and distribution of special flyer addressing proper usage of pesticides that have occasional exceeded target levels and their annual newsletter.

PNSSNS expects improved participation due to increased memberships within the next six months.

#### **VIII. Gold County Wildlife Rescue Fish and Game Commission Grant program report – Leon McKee, President**

24-year old non-profit organization. Mission is to protect, preserve, and rehabilitate Placer County's diverse wildlife while promoting human awareness toward wildlife and the ecosystems we share. 1,661 cases were seen in 2013, and over 1,300 so far in 2014. Human contact is the biggest issue for these animals. Songbirds are always the largest population of rescues. Waterfowl

rescues are down from 2012, mostly because their waterfowl rescue person passed away last year. Food for animals is the largest expense for GCWR. Some rescues cannot survive again in the wild so they become Educational Ambassadors promoting awareness at schools and other functions.

**IX. Fiscal Year 2014-15 Commission Officer Nominations**

Gary Flanagan nominated Gregg McKenzie for new chair, seconded by Freidig.  
*MPUV*

Mickey Daniels nominates Mark Fowler for new vice chair, seconded by Marc Wyatt. *MPUV*

Gary Flanagan says he will sit as chair if others do not wish to.

**X. Next Meeting Date**

July 23, 2014  
Gould will not be in attendance.

**XI. Adjournment**

8:15 PM